

RESOLUTION NO. 5946

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION OF A MEASURE OR MEASURES TO THE VOTERS.

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on Tuesday, November 3, 2020, for the election of Municipal Officers; and

WHEREAS, The City Council also desires to submit to the voters at the election an initiative measure as previously ordered in Resolution 5884, and such other measure or measures as may qualify for the ballot;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of La Habra, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing three (3) Members of the City Council for the full term of four years.

SECTION 2. That the City Council, pursuant to its right and authority, has previously ordered submitted to the voters at the General Municipal Election a following question pursuant to Resolution 5884, a copy of which is attached to this Resolution (Exhibit "A") and incorporated herein by this reference.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed, and directed to coordinate with the County of Orange Registrar of Voters to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary to properly and lawfully conduct the election, and that the said County of Orange Registrar of Voters is hereby authorized to canvass the results of the election.

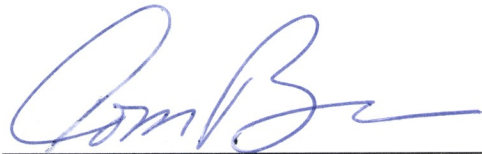
SECTION 5. That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, pursuant to Election Code section 10242, except as provided in Section 14401 of the Elections Code of the State of California, or as ordered by the Orange County Board of Supervisors or the Governor in response to the current public health emergency.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions, and transmit copies of the necessary resolutions to the County Registrar forthwith.

PASSED, APPROVED, AND ADOPTED this 1st day of June, 2020.



Tom Beamish, Mayor

Attest:



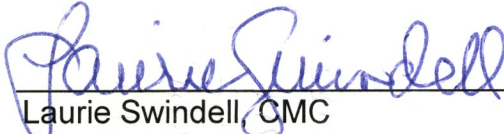
Laurie Swindell, CMC
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS
CITY OF LA HABRA }

I, Laurie Swindell, CMC, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 5946 introduced and adopted at a Regular Meeting of the City Council of the City of La Habra held on the 1st day of June, 2020, by the following roll call vote:

AYES: COUNCILMEMBERS: Beamish, Espinoza, Gomez, Medrano, Shaw
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

Witness my hand and the official seal of the City of La Habra this 1st day of June, 2020.



Laurie Swindell, CMC
City Clerk

RESOLUTION NO. 5884

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ORDERING THAT AN INITIATIVE MEASURE BE SUBMITTED TO THE VOTERS OF THE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE PURPOSE OF CONSIDERING PROPOSED AMENDMENT TO THE LA HABRA GENERAL PLAN

WHEREAS, a Notice of Intent to circulate an Initiative petition seeking to amend the General Plan of the City of La Habra titled "Citizen's Initiative for Preservation of Open Space in La Habra" ("Initiative") was filed with the City Clerk on May 9, 2018, and

WHEREAS, the City Clerk has certified that the Initiative petition was signed by more than 10% of the registered voters in the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA HEREBY RESOLVES:

Section 1. Initiative Measure Submitted to the Voters: Pursuant to California Elections Code Sections 9215(b), the City Council hereby orders that a measure be submitted to the voters of the City at the Regular Municipal Election to be held on Tuesday, November 3, 2020, for the purpose of considering the Initiative. The full text of the Initiative, attached to this Resolution as Exhibit A, shall be printed in the voter pamphlet. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

City of La Habra	
Shall the Initiative Measure titled "Citizen's Initiative for Preservation of Open Space in La Habra" be adopted to amend the La Habra General Plan to require majority voter approval to change property in the City designated as "Open Space" to another designation?	YES
	NO

Section 2. Effective Date: The proposed General Plan amendment shall not take effect unless and until approved by a vote of at least a majority of the voters voting on the question at the election.

Section 3. California Environmental Quality Act: Because the California Supreme Court has held that the California Environmental Quality Act ("CEQA") does not apply to "citizen sponsored" initiatives, CEQA does not apply to this action to submit the Initiative to the voters. *See, Tuolumne Jobs & Small Business Alliance v. Superior Court* (2014) 59 Cal.4th 1029.

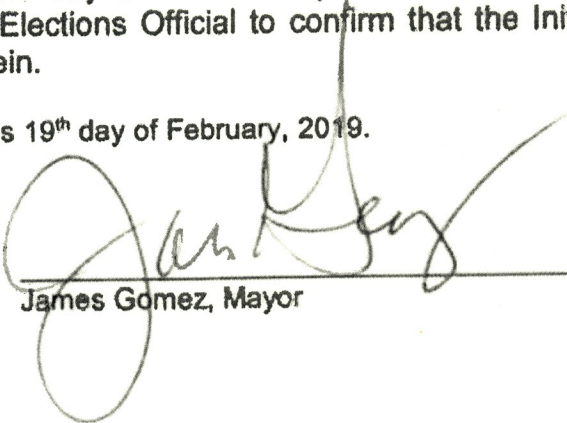
Section 4. Impartial Analysis: The Acting City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.

Section 5. Ballot Argument: The City Clerk shall establish deadlines and processes for the submittal of ballot arguments and rebuttals. The proponents of the Initiative may submit an argument in favor of the measure, and the City Council hereby authorizes one or more of its members to submit an argument against the measure, both pursuant to Elections Code Section 9282.

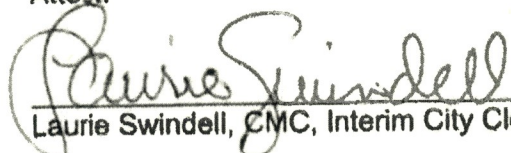
Section 6. Future Actions Relating to the Conduct and Consolidation of Elections: The City Council will take future actions as required by law to call and give notice of the Regular Municipal Election within the applicable time frame provided for in the California Elections Code. All such actions shall apply to this Initiative measure.

Section 7. City Clerk Authorization. The City Clerk is hereby authorized to take such further actions as are required of the Elections Official to confirm that the Initiative is submitted to the voters as required herein.

PASSED, APPROVED AND ADOPTED this 19th day of February, 2019.


James Gomez, Mayor

Attest:

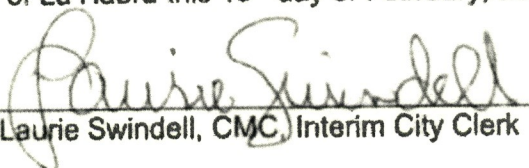

Laurie Swindell, CMC, Interim City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF LA HABRA)

I, Laurie Swindell, Interim City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 5884 introduced and adopted at a regular meeting of the City Council of the City of La Habra held on the 19th day of February, 2019, by the following roll call vote:

AYES: COUNCILMEMBERS: BEAMISH, SHAW, ESPINOZA
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: MEDRANO, GOMEZ

Witness my hand and the official seal of the City of La Habra this 19th day of February, 2019.


Laurie Swindell, CMC, Interim City Clerk